



**Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Mining Section**

**3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
PHONE (865) 594-6035 FAX (865) 594-5253**

Public Participation Opportunities

October 18, 2007

Public Notice M2007-14

Last Day to Submit Comments: November 20, 2007

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Coal Proposed Reissuances

| | |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant | LCC Tennessee, LLC |
| Facility | Brimstone and Sterling Tipples |
| NPDES Permit Number | TN0053651 |
| County | Scott |
| Street Address | Brimstone Road |
| City | Robbins |
| Zip | 37852 |
| Description of Activity | Coal tipple and preparation plant |
| Receiving Streams | Brimstone Creek and Hutson Branch |
| Effluent Description | Treated wastewater and storm water |
| Facility Latitude | 36°17'12" |
| Facility Longitude | 84°29'39" |
| Permit Writer | MRR |
| Applicant | Mountainside Coal Company, Inc. |
| Facility | Cooper Ridge Area 2 |
| NPDES Permit Number | TN0072567 |
| County | Claiborne |
| Street Address | Rock Creek Ridge Road |
| City | Clairfield |
| Zip | 37715 |
| Description of Activity | Surface and auger coal mine |
| Receiving Streams | Straight Creek Wet weather conveyances to Straight Creek Wet weather conveyances to unnamed tributaries to Straight Creek Wet weather conveyance to Spar Branch |
| Effluent Description | Treated wastewater and storm water |
| Facility Latitude | 36°33'13" |
| Facility Longitude | 83°43'56" |
| Permit Writer | MRR |

Non-Coal Proposed Reissuances

| | |
|-------------------------|-------------------------------------------------------|
| Applicant | Big Fork Mining Company |
| Facility | Area 15 |
| NPDES Permit Number | TN0071480 |
| County | Marion |
| Street Address | Big Fork Road on Walden Ridge |
| City | Suck Creek |
| Zip | 37397 |
| Description of Activity | Shale mining and processing |
| Receiving Streams | Unnamed tributaries to North and South Suck Creek |
| Effluent Description | Treated wastewater and storm water |
| Facility Latitude | 35°13'04" |
| Facility Longitude | 85°25'04" |
| Permit Writer | KBG |
| Applicant | Dunlap Stone, Inc. |
| Facility | Plateau Sand Site |
| NPDES Permit Number | TN0066257 |
| County | Sequatchie |
| Street Address | 5497 Henson Gap Road |
| City | Dunlap |
| Zip | 37327 |
| Description of Activity | Sand mining and processing |
| Receiving Streams | Henson Creek and unnamed tributary to Henson Creek |
| Effluent Description | Treated wastewater and storm water |
| Facility Latitude | 35°21'04" |
| Facility Longitude | 85°18'31" |
| Permit Writer | KBG |
| Applicant | Duracap Asphalt Materials, LLC |
| Facility | Asphalt Plant |
| NPDES Permit Number | TN0076236 |
| County | Knox |
| Street Address | 9509 Diggs Gap Road |
| City | Heiskell |
| Zip | 37754 |
| Description of Activity | Asphalt plant and associated yard area and stockpiles |
| Receiving Stream | Williams Branch |
| Effluent Description | Treated wastewater and storm water |
| Facility Latitude | 36°06'02" |
| Facility Longitude | 84°01'30" |
| Permit Writer | JPJ |

Applicant **Climer & Sons Gravel Springs, Inc.**
Facility **McCullough Pit**
NPDES Permit Number **TN0071081**
County Tipton
Street Address 9640 Highway 51 South
City Brighton
Zip 38011
Description of Activity Construction sand and gravel mine processing facility
Receiving Stream Myron Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 35°27'42"
Facility Longitude 89°46'52"
Permit Writer JPJ

Applicant **Sevier County Highway Department**
Facility **Sevier County Quarry**
NPDES Permit Number **TN0066214**
County Sevier
Street Address 139 County Garage Road
City Sevierville
Zip 37862
Description of Activity Limestone mining and processing
Receiving Stream Walnut Grove Branch
Effluent Description Treated wastewater and storm water
Facility Latitude 35°52'30"
Facility Longitude 83°28'51"
Permit Writer SJT

Coal Proposed Terminations

Applicant **Appolo Fuels, Inc.**
Facility **Buckeye Springs No. 2 Mine**
NPDES Permit Number **TN0071773**
County Claiborne
Street Address Highway 132, Little Coal Gap
City Manring
Zip 37769
Description of Activity Underground mining activity has concluded at this site and a separate NPDES permit for an underground facility is no longer needed. The company has been issued NPDES permit TN0079634 for a surface and auger mine at this same location that overlaps and incorporates the underground mine. Wastewater treatment and discharge facilities are now included within the new permit boundary.
Receiving Stream Unnamed tributary to Tackett Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 36°32'47"
Facility Longitude 83°49'05"
Permit Writer JPJ

Applicant **Gatliff Coal Company**
Facility **White Oak Area 11**
NPDES Permit Number **TN0068918**
County **Campbell**
Street Address **White Oak/Duff Road (Route 1)**
City **Duff**
Zip **37729**
Description of Activity **Reclaimed surface coal mine**
Receiving Streams **White Oak Creek and Davis Creek**
Effluent Description **Treated wastewater and storm water**
Facility Latitude **36°30'04"**
Facility Longitude **83°59'26"**
Permit Writer **JPJ**

Applicant **Gatliff Coal Company**
Facility **White Oak Area 15**
NPDES Permit Number **TN0070963**
County **Campbell**
Street Address **White Oak/Duff Road (Route 1)**
City **Duff**
Zip **37729**
Description of Activity **Reclaimed surface coal mine**
Receiving Stream **White Oak Creek**
Effluent Description **Treated wastewater and storm water**
Facility Latitude **36°30'45"**
Facility Longitude **84°00'12"**
Permit Writer **JPJ**

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at Gary.Mullins@state.tn.us. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email Elaine.Killion@state.tn.us or call (865) 594-1062 to schedule an appointment for the review(s).

List of Permit Writers

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|------------|-----------------------------|---------------------|----------------------------------------------------------------------------------------|
| KBG | Kristen Gettelfinger | 865-594-5545 | Kristen.Gettelfinger@state.tn.us |
| JPJ | Jesse Jones | 865-594-5543 | Jesse.P.Jones@state.tn.us |
| GWM | Gary Mullins | 865-594-5536 | Gary.Mullins@state.tn.us |
| JCP | John Price | 865-594-5585 | John.Price@state.tn.us |
| MRR | Micheal Robbins | 865-594-5542 | Micheal.Robbins@state.tn.us |
| SJT | Steven Turaski | 865-594-5584 | Steven.Turaski@state.tn.us |
| DAT | Dave Turner | 865-594-5541 | Dave.Turner@state.tn.us |

State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) or Tier 3 waters receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Tier 2 waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Tier 1 waters refer to other surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).